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Attorneys for STATE OF ARIZONA

5 IN THE SUPERIOR COURT

6 STATE OF ARIZONA, COUNTY OF YAVAPAI

7 STATE OF ARIZONA,

8 Plaintiff,

9 vs.

10 JAMES ARTHUR RAY,

11 Defendant.  
12

V1300CR201080049

13 NOTICE OF CROSS APPEAL BY STATE  
14 OF ARIZONA

(The Honorable Warren R. Darrow)

15 Pursuant to A.R.S. § 13-4032(3), the State provides notice of cross appeal of several  
16 rulings of law adverse to the State, including but not limited to:

- 17 (1) The Trial Court's finding that the State committed a violation of *Brady v.*  
18 *Maryland*, 373 U.S. 83, 83 S.Ct. 1194 (1963);
- 19 (2) The granting of monetary sanctions against the State;
- 20 (3) The denial of certain jury instructions requested by the State;
- 21 (4) The granting of a jury instruction pursuant to *State v. Willits*, 96 Ariz. 184, 393  
22 P.2d 274 (1964);
- 23 (5) The preclusion of State's witnesses Pace, Sundling and Kent;
- 24 (6) Rulings relating to other act evidence pursuant to Rule 404(b), Arizona Rules  
25 of Evidence, and certain rulings limiting the admissibility of other relevant evidence,  
26 and

SUPERIOR COURT  
COUNTY OF YAVAPAI, ARIZONA

2011 DEC 12 AM 11:23 ✓

SANDRA R. TARKENTIN, CLERK  
BY: [Signature]

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1 (7) Rulings delaying the imposition of judgment and sentencing.

2 Pursuant to A.R.S. § 13-4032(5), the State of Arizona also provides notice of cross appeal  
3 of certain issues related to the sentencing in this matter, including but not limited to: (1) The  
4 imposition of mitigated, concurrent sentences.

5 The Trial Court pronounced its judgment of guilt and imposed sentence on November 18,  
6 2011. On December 5, 2011, Defendant filed a Notice of Appeal with this Court.

7 RESPECTFULLY submitted this 12<sup>th</sup> day of December, 2011.

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9  
10 By   
11 SHEILA SULLIVAN POLK  
12 YAVAPAI COUNTY ATTORNEY

13  
14 Original of the foregoing filed this 12<sup>th</sup> day of December, 2011, with the Clerk of the Superior  
15 Court

16 Copy of the foregoing mailed and delivered via email this 12<sup>th</sup> day of December, 2011, to:

17 Honorable Warren R. Darrow  
18 Yavapai County Superior Court

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